

**REMARKS**

Reconsideration and further examination of the application as amended are respectfully requested. All objections and rejections are respectfully traversed.

In the Office Action, which re-opens prosecution after Applicant's Second Appeal Brief, claims 1-40 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Pat. No. 6,122,629 to Walker et al. ("Walker"). Applicant respectfully disagrees.

Each of the independent claims (1, 6, 11, 14, 19, 20, 21, 27, 30, 33 and 36) have been amended to more clearly recite the invention. No new matter is being introduced. Support for the amendments may be found in the specification as originally filed at p. 6, lines 3-9, p. 7, lines 3-5, p. 9, line 23 to p. 10, line 2, and p. 12, lines 3-7, among other places.

Claim 1, as amended, recites:

A computerized data file system, comprising:

a first process that maintains a data file **stored in a computer-readable memory**; and

a second process that generates a first message requesting that said second process be granted by said first process a plurality of tokens required for said second process to modify at least one characteristic of said file **stored in said computer-readable memory**,

said first process generating a second message, in response to said first message, that grants said tokens to said second process if said tokens are available for grant to said second process, and

if said tokens are granted, said second process modifying the at least one characteristic of said data file **as maintained by said first process in said computer-readable memory without said second process receiving a copy of said data file**.

In rejecting claim 1, the Office Action cites three excerpts from Walker: Col. 6; lines 8-25, Col. 13; lines 40-57 and Col 14; lines 1-58. None of these excerpts from Walker disclose the modification by a second process of at least one characteristic of a data file that is maintained in memory by a first process where the second process does not receive a copy of the data file.

The excerpt at Col. 9; lines 8-25 describe the tasks performed by Walker's Cluster File System (CFS) client instance 212c. This excerpt specifically provides that Walker's client instance 212c receives and stores its own copy of the file in the client's cache. *See* Col. 9; lines 13-15 ("CFS client instance 212c responds to this request **by storing the data to be written in client data cache 214c**").

The excerpt at Col. 13, which corresponds to Fig. 12, describes Walker's sharing detection method used during a file open request. Like the excerpt at Col. 9, the excerpt at Col. 13 also specifically states that Walker's client caches a copy of the file. *See* Col. 13; lines 60-61 ("CFS client instance 212 begin[s] caching data from the target file in client data cache 214").

The excerpt at Col. 14, which corresponds to Fig. 13, describes Walker's sharing detection method used during a file close request. It also makes clear, in at least two places, that Walker's clients cache their own copies of the target files. *See* Col. 14; lines 46-48 ("CFS client instance 212 may request tokens for the file and begin caching data for the file"); and Col. 14; lines 53-55 ("CFS client instance 212 begin[s] caching data from the target file in client data cache 214").

As shown, Walker repeatedly and consistently discloses that its client instances receive and cache their own copies of the target files. In contrast, claim 1 positively

recites (1) that the first process maintains the data file stored in memory, (2) that the plurality of tokens are required for the second process to modify at least one characteristic of the file stored in the memory, and (3) that, if the tokens are granted, the second process modifies the at least one characteristic of the file as maintained by the first process in memory without receiving a copy of the data file. Walker is thus directed to a very different design from the present invention. *See* Col. 7; lines 41-43 (“CFS 208 caches filesystem data within CFS client instances 212. For this purpose, CFS client instances 212 are shown to include respective client data caches”).

Because Walker fails to disclose each and every limitation recited in claim 1, the rejection of claim 1 should be withdrawn. *See* MPEP §2131 (A claim is anticipated only if the reference discloses each and every element set forth in the claim).

Applicant submits that Walker fails to anticipate the other independent claims (6, 11, 14, 19, 20, 21, 27, 30, 33 and 36) for similar reasons.

Walker also fails to disclose features recited in the dependent claims.

Claim 3, for example, depends from claim 1 and recites

if any of said tokens are unavailable for grant to said second process as a result of current grant of said tokens to at least one other process, said first process generates **a third message revoking the current grant of said tokens** to said at least one other process.

The Office Action cites to the Abstract and Col. 7; lines 25-50 of Walker in rejecting claim 3. Applicant respectfully disagrees that Walker discloses the claimed feature. The Abstract makes no mention of a message that revokes a current grant of tokens. Similarly, the excerpt at Col. 7; lines 25-50, which provides general information regarding Walker’s Cluster File System (CFS), makes no mention of revoking a current

grant of tokens. In fact, neither “revoke” nor “revocation” appear anywhere in Walker. Accordingly, the rejection of claim 3 should be withdrawn.

Claim 4 depends from claim 3 and recites:

said at least one other process, in response to said third message, generates a fourth message making said tokens available for grant by said first process.

The Office Action cites to the Abstract, Col. 7; lines 25-50, Col. 11; lines 8-22, and Col. 12; lines 22-28 of Walker in rejecting claim 4. None of these excerpts disclose another process generating a message responsive to a revocation message making tokens available. The Abstract and Col. 7 have already been discussed above in connection with claim 3. The excerpt at Col. 11 describes the issuance of acknowledgement messages. The excerpt at Col. 12 describes the issuance of result messages. Because Walker fails to disclose a fourth message as recited in claim 4, the rejection of claim 4 should be withdrawn.

Other dependent claims are likewise distinguishable over Walker.

Applicant submits that the application, as amended, is in condition for allowance, and early favorable action is respectfully requested.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

Respectfully submitted,

/Michael Reinemann/  
Michael R. Reinemann  
Reg. No. 38,280  
(617) 951-2500

Send all correspondence to:

IP Administration Legal Department,  
M/S 35  
Hewlett-Packard Co.  
P.O. Box 272400  
Fort Collins, CO 80527-2400